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Letter dated 16 August 2004 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the Accra III Agreement on Côte d'Ivoire, which was concluded on 30 July 2004 in Accra.

In accordance with article 15 of the Agreement, its signatories have agreed to establish a tripartite Monitoring Group comprising the representatives of ECOWAS, the African Union and the United Nations Operation in Côte d'Ivoire (UNOCI). The Monitoring Group is to submit to the Chairman of ECOWAS, the President of the African Union and myself fortnightly reports on the progress made in the implementation of the Agreement.

I have the honour to send you herewith the first report of the Monitoring Group. I should be grateful if you would bring it to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

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Annex

Implementation of the Accra III Agreement

First report of the Monitoring Group

Introduction

1. This report is submitted pursuant to the recommendation of the High-level meeting in Accra (29-30 July 2004) which established the tripartite Monitoring Group and requested it to "make fortnightly reports on the progress in the implementation of the Accra III Agreement to the Chairman of ECOWAS, the Chairperson of the African Union and the Secretary-General of the United Nations".

Structure and method of work of the Group

2. The Group is composed of the following:

- Ambassador Raph Uwechue, Special Representative of the Executive Secretary of ECOWAS (Chairman)
- Professor Andre Salifou, Special Representative of the African Union in Côte d'Ivoire
- Professor Albert Tévoedjrè, Special Representative of the United Nations Secretary-General in Côte d'Ivoire.

3. At its first meeting on 4 August 2004, the Group agreed to make the Special Representative of ECOWAS its Chairman. A joint Secretariat ECOWAS/AU/ONUCI will service the Group. The Group will ordinarily meet once a week but will exchange information continuously in the performance of its functions. Fortnightly reports will be prepared and agreed jointly and, as requested, be submitted to the heads of the three pertinent organizations under the signature of the Chairman.

4. The Group discussed and agreed on the text of a "Framework for Monitoring the Implementation of the Accra III Agreement on Côte d'Ivoire" initiated by Mohamad Ibn Chambas, the Executive Secretary of ECOWAS. The Group decided to seek audience of the Prime Minister and the President to take their views on how they planned to implement the various priorities of action envisaged under the Accra III Agreement. At the meeting with the Prime Minister, assurances were given that a meeting of the Council of Ministers had been scheduled for Monday, 9 August 2004. The audience with the President was to be held subsequently.

5. The Group has also begun to have preliminary contacts and discussions with the political forces starting from its second meeting on 6 August 2004. It was judged necessary at this stage to exchange with all the political forces the prognosis of the High-level meeting in Accra, their expectations and those of the international community, and the specific role of the Monitoring Group (Accra III) in relation to the Monitoring Committee (Linas-Marcoussis). These exchanges would be taking place against the background of the various partisan interpretations and constructions being laid on the Accra III Agreement in the national media. At the second meeting on 6 August 2004 to which the G7 Marcoussistes were invited, the role of the Monitoring Group was explained to them. The objective would be to monitor the implementation of the Accra III Agreement, to keep the process on track

and make timely reports to facilitate follow-up actions including intervening with parties in their compliance of their obligations and commitments.

6. It is expected that this process will reinforce and keep alive the role of the international community and especially those African leaders signatories of the Agreement who would continue to act as guarantors of the peace process. The Monitoring Group (Accra III) and the Monitoring Committee (Linas-Marcoussis) have complementary roles to play in the Ivorian peace process. The 10-member Monitoring Committee would focus on the wider scope of the peace process in the context of the Linas-Marcoussis Agreement, while the tripartite Monitoring Group with its limited membership would report on the state of implementation of the Accra III Agreement. Both however would complement each other in the final objective of keeping the international community especially the United Nations Security Council, fully engaged to maintain the momentum for progress in the peace process.

7. At the meeting with the G7 Marcoussistes, they gave assurances of their full commitment to implementing the Accra III Agreement and invited the Group to exercise the fullest measure of vigilance in monitoring progress or otherwise in the course of its implementation. In that regard, they pledged their full cooperation behind the efforts of the Group. Other meetings are scheduled with the other political forces, namely FPI, PIT and UDCY.

Implementation of the Accra III Agreement

8. Following consultations with the President and the Prime Minister, the Council of Ministers met on Monday, 9 August 2004. All 42 members of the Government were in attendance except one, the Minister of Construction and Urban Development who is absent on official mission abroad. Three presidential decrees have been issued (see enclosure I). The first decree, No. 2004-382 of 9 August 2004, relates to the reinstatement of the three dismissed ministers in their previous posts. The second decree, No. 2004-383 of 9 August 2004, appoints a new Spokesperson of the Government, Mr. Hubert Oulaye, Minister of Public Service and Employment (FPI), who replaces Mr. Patrick Achi, Minister of Economic Infrastructure (PDCI). The third decree, No. 2004-384 of 9 August, relates to the delegation of powers to the Prime Minister. The meeting was essentially one of a "get-together" after nearly five months of impasse in government. Beyond the exchanges of pleasantries, it is reported that some snippets of views were expressed by the President and the Prime Minister on such issues as human rights and impunity, the general security situation in the country, the approach of ministers to work and their responsibilities, the extension of State authority and services throughout the country and generally the peace process.

9. Subsequent meetings of the Council of Ministers have been scheduled for Thursday, 12 August, Tuesday, 17 August and Thursday, 19 August 2004. Notice was served that the calendar of deliberations should be observed so as to implement the commitment by the President to complete certain measures within two months following the Accra meeting. A communiqué was issued at the end of the Council (enclosure II). From all indications and reports, this Council meeting augurs well for the prospects of moving forward in the implementation of the Accra III Agreement.

On behalf of the Group,
(*Signed*) Raph **Uwechue** (Chairman)

Enclosure I

[Original: French]

Republic of Côte d'Ivoire

Decree No. 2004-382 of 9 August 2004 reinstating members of the Government of National Reconciliation

The President of the Republic;

Upon the proposal of the Prime Minister and Head of Government,

Considering the Constitution;

Considering Decree No. 2003-44 of 26 January 2003 appointing the Prime Minister;

Considering Decree No. 2003-65 of 13 March 2003 appointing members of the Government, as amended and supplemented by Decrees No. 2003-346 of 12 September 2003 and No. 2003-349 of 15 September 2003;

Considering Decree No. 2004-318 of 18 May 2004 terminating the appointments of Guillaume Kigbafori Soro and Patrick Achi as Ministers of State and Youssouf Soumahoro as Minister;

Hereby decrees that:

Article 1

Mr. Guillaume Kigbafori Soro, Minister of State, Minister of Communications, Mr. Patrick Achi, Minister of State, Minister of Economic Infrastructure and Mr. Youssouf Soumahoro, Minister of Technical Education and Professional Training, previously dismissed from the Government of National Reconciliation, shall be reappointed to the same positions.

Article 2

This Decree shall supersede any previous provisions to the contrary, including the above-mentioned Decree No. 2004-318 of 18 May 2004.

Article 3

This Decree, which comes into force from its date of signature, shall be published in the Official Gazette of the Republic of Côte d'Ivoire.

Done at Abidjan on 9 August 2004.

[*Signed*] Laurent **Gbagbo**

Certified true copy of the original.

Secretary-General of the Government

Decree No. 2004-383 of 9 August 2004 appointing the Government Spokesman

The President of the Republic;

Upon the proposal of the Prime Minister and Head of Government,

Considering the Constitution;

Considering Decree No. 2003-44 of 26 January 2003 appointing the Prime Minister;

Considering Decree No. 2003-65 of 13 March 2003 appointing members of the Government, as amended and supplemented by Decrees No. 2003-346 of 12 September 2003 and No. 2003-349 of 15 September 2003;

Considering Decree No. 2004-382 of 9 August 2004 reinstating members of the Government of National Reconciliation;

Hereby decrees that:

Article 1

Mr. Hubert Oulaye, Minister of Public Service and Employment shall be appointed Government Spokesman.

Article 2

The present Decree shall supersede any previous provisions to the contrary.

Article 3

This Decree, which comes into force from its date of signature, shall be published in the Official Gazette of the Republic of Côte d'Ivoire.

Done at Abidjan on 9 August 2004.

[*Signed*] Laurent **Gbagbo**

Certified true copy of the original.

Secretary-General of the Government

Decree No. 2004-384 of 9 August 2004 delegating authority to the Prime Minister of the Government of National Reconciliation

The President of the Republic;

Considering the Constitution, especially article 53 thereof;

Considering Decree No. 2003-44 of 25 January 2003 appointing the Prime Minister;

Considering Decree No. 2003-62 of 10 March 2003 delegating authority to the Prime Minister as amended and supplemented by Decree No. 2003-90 of 11 April 2003;

Hereby decrees:

Article 1

The Prime Minister shall initiate and coordinate Government policy. In the performance of his duties, he shall receive from the President of the Republic some of the authority vested in the latter, including the authority to define national reconciliation policy and to conduct activities deriving from the Linas-Marcoussis Agreement.

In that capacity:

- He shall chair meetings of the Governing Council convening all members of the Government;
- He shall translate Government policy into a national reconstruction programme for implementation;
- He shall coordinate relations with bilateral and multilateral development and financing agencies in liaison with the Ministry of State, Ministry of the Economy and Finance and the Ministry of Planning and Development;
- He shall ensure implementation of the Government's policy on demobilization, disarmament and reintegration;
- He shall coordinate Government policy concerning:
  - macroeconomic management and balancing the national budget;
  - promotion of good governance;
  - control of population and of immigration;
  - capacity-building;
  - poverty alleviation;
  - reintegration of war victims;
  - restructuring of the defence and security forces;
  - cantonment of forces;
  - preparation of election schedules with a view to ensuring credible and transparent elections;
  - national identification;

– economic recovery;

– improvement of the judiciary;

– restoring State authority;

– guaranteeing territorial integrity;

– strengthening the system of justice;

– restructuring the administration and public services.

Article 2

The Prime Minister shall report regularly to the President regarding the implementation, in accordance with the authority hereby delegated, of the tasks entrusted to the Government of National Reconciliation in the context of the implementation of the Linas-Marcoussis and Accra II agreements.

Article 3

The powers delegated under this Decree shall be limited to a period not exceeding the date on which the results of the next presidential election are declared.

Article 4

The present Decree shall come into force from the date of signature. It shall supersede the aforementioned Decrees No. 2003-62 of 10 March 2003 and No. 2003-90 of 11 April 2003.

Article 5

The Prime Minister, Head of Government, shall be responsible for the implementation of the present Decree, which shall be published in the Official Gazette of the Republic of Côte d'Ivoire.

Done at Abidjan on 9 August 2004.

[*Signed*] Laurent **Gbagbo**

Certified true copy of the original.

Secretary-General of the Government

Enclosure II

[Original: French]

Communiqué of the Council of Ministers of 9 August 2004

A meeting of the Council of Ministers under the chairmanship of the Head of State, His Excellency Laurent Gbagbo, was held at the office of the President of the Republic on 9 August 2004.

At the beginning of the meeting, the Prime Minister, speaking on behalf of members of the Government, congratulated the President for the encouraging and reconciliatory words he had addressed to the people of Côte d'Ivoire on the occasion of the forty-fourth anniversary of the country's independence.

Referring to the resumption of Government business, the Prime Minister also informed the Council that very soon all the Ministers would receive a circular reminding them of their duties and responsibilities as members of the Government.

The President of the Republic then noted that the current meeting was a get-together and that he was happy to see the Council of Ministers meeting once again to resume the business of Government. The President noted that in addition to the implementation of the peace agreements, Côte d'Ivoire was facing structural problems having to do with poverty, health, school enrolment and security, which demanded attention more than ever and which must be addressed.

In order to catch up on the significant backlog in Government work, the President requested that the Council of Ministers should meet on Thursday, 12 August 2004 and also hold two other meetings the following week to consider, as a matter of priority, the urgent issues pending at the ministries of Foreign Affairs and Justice and to conclude its consideration of the most recent statutes and regulations formulated under the Linas-Marcoussis Agreement.

The President said that he had already convened a special session of deputies to consider those statutes and regulations. He recalled his role as custodian of the Constitution and his duty to uphold and ensure compliance with the Constitution in accordance with the oath he had sworn upon assumption of office. He asked everyone to work towards a meaningful reconciliation of the Constitution with the agreements signed, which had to be implemented by all concerned in a spirit of frankness and in good faith.

With regard to the Accra III Agreement, the President noted that what needed to be implemented had been set down in writing.

The Minister of State and Minister of Transport briefed the President on the serious incident that had occurred in the Gesco corridor at Yopougon on Saturday, 7 August 2004, resulting in the death of one person and injuries to eight others. The President deplored that new blunder by the defence and security forces. He expressed his heartfelt condolences to the bereaved family and support and wishes for a speedy recovery to the injured. He appealed to everyone to remain calm and instructed the Ministers of Defence and Security to promptly investigate the matter in order to identify those responsible.

Oulaye Hubert
Minister of Employment and the Civil Service
Government Spokesman